



TOWN OF TYNGSBOROUGH

Office of the Board of Selectmen

25 Bryant Lane

Tyngsborough, MA 01879

Tel: 978 649-2300 Ext. 100 Fax: 978 649-2320

APPROVED

Board of Selectmen Meeting Minutes

Monday, September 24, 2012 at 6:00 P.M.

Community Room, Town Offices, 25 Bryant Lane

Members Present: Selectwoman Karyn Puleo, Selectman Rick Reault, Selectman Robert Jackson, Selectman Allen Curseaden, Selectman Corliss Lambert.

Staff Present: Town Administrator Michael Gilleberto, Admin Assistant Therese Gay

The listing of matters are those reasonable anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed, and other items not listed may also be brought up for discussion to the extent permitted by law.

1. 6:00 PM Open Meeting/Pledge of Allegiance/Board Introduction/Read Agenda

The Chairman called the meeting to order. The Pledge of Allegiance was recited. The Agenda was read by Rick Reault, Clerk. The Board was introduced.

2. New Business

A. Change in DBA Request – Double D Pub, Inc. 147 Frost Road.

The Board received a request from Mr. Dirocco, Manager of Double D Pub, Inc. to change the DBA from Double D Pub to Dukes Pub and Grille. The Board voted 5-0 of a motion by Selectman Reault, second by Selectwoman Puleo to approve the DBA from Double D Pub to Dukes Pub and Grille.

B. Approve Removal of Hazard Trees – Tyngsborough Memorial Cemetery

The Tree Warden requested the Board to approve the removal of trees at the Tyngsborough Memorial Cemetery. These trees pose a hazard to a neighboring parcel. The Warden did solicit bids with the low bid at \$5,000. The Board voted 5-0 on a motion by Selectman Reault, second by Selectwoman Puleo to approve the removal of the 11 pine trees.

C. Approve revised Frost Road Park Regulations

The Board received and reviewed the revision to the Frost Road Park Regulations, the revision was to strike paragraph 2A from the regulations. The Board voted 5-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to approve the revision to the Frost Road Park Regulations.

D. *Approve Selection of FSA Firm**

The Treasurer has submitted a report to the Board on the establishment and administration of an employee-funded Flexible Spending Account, the Treasurer after seeking quotes is recommending that the Town enter into an agreement with Sentinel Benefits of Reading, MA to provide the services to the Town. Their annual costs are in line with the competition and they have experience in working with municipalities. The Board voted 5-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to enter into an agreement with Sentinel Benefits to administer the Town's Flexible Spending Account.

3. Citizen/Business Time – No one came forward

Citizens or business owners may contact the Office of the Selectmen to request to address the Selectmen during citizen/business time. Citizens or business owners who have not contacted the Office of the Selectmen in advance may address the Board of Selectmen on matters of interest to the public for not more than five (5) minutes.

4. Meeting Minutes Review/Approve

A. Monday September 10, 2012

The Board voted 5-0 on a motion by Selectman Lambert, second by Selectman Reault to approve the minutes of September 10, 2012.

5. Old Business

A. Special Town Meeting – Continue Review of Warrant Articles

Article 1 – citizen's petition deferred; Article 16 – will request an easement. The Article 26 to article 33 streets acceptance the Planning Board has taken the final action and are ready to be placed on the warrant for acceptance. The Board voted 5-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to place article 26 to 33 on the Special Town Meeting Warrant for acceptance. Articles 34 to 43 Zoning by-law amendments – the Planning Board has taken the action on the articles and are ready to be placed on the warrant for acceptance. The Board voted 5-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to place articles 34 to 43 on the Special Town Meeting Warrant for acceptance.

6. Citizen/Business Time

Mr. David Marcosi of 73 Old Hickory Road had a question and a comment on articles 7 and 10, the Administrator gave a brief presentation on the why and how the software requested would benefit the departments that would use the program.

7. Correspondence

The Board voted 5-0 on a motion by Selectman Reault, second by Selectman Curseaden to accept the correspondence as submitted.

8. Review Weekly Warrant

The Town Administrator read the weekly warrant into the record – Warrant #11PA for 766.80 on 9/12/2012; Warrant #12B for \$170,757.37 on 9/12/2012.

9. Town Administrator's Reports

• Response to Selectmen's Requests

TA's correspondence with GLTHS regarding their attendance at the Tri-Board meeting. And correspondence with the LRTA regarding the Roadrunner service.

• Budget

The Town is waiting for the Free Cash certification by DOR; and a transfer request from the Finance Committee.

• Departmental Information

The media director will be attending a disaster recovery social media seminar.

• Contracting/Procurement

There is communication from Aggregate Industries regarding the resurfacing of Chestnut and Groton Roads. The contracts for the Sherburne Boardwalk and Barn projects are in process.

• Other

Communication with MassDot regarding the house on Indian Lane and documentations used in the last meeting of the Old Town Hall Building Committee.

10. Selectmen's Reports

Selectman Lambert is still working on the timing of the traffic lights on Middlesex Road, we need to find a way to have Mass DoT fix. Selectman Curseaden reported on the restructuring and sequencing of the lights, the right hand lane will not be open till spring, he would like to seek help from the Representative and Senator for help in the clean-up. The Board recessed for 10 minutes at 6:50PM.

11. 7:00 PM Tri-Board/Selectmen/ Finance Committee/School Committee

School Committee Members present – Burt Buchman, Paul Mitchell, Herb Desrosiers, Barry Dick, new member, and Superintendent Donald Ciampa. The School Committee entered into session on a motion by Member Dick, second by Member Desrosiers.

Members of the Finance Committee present – Rob Mullin, Darryl Wickens, Scott Hammer, Linda Geyer and Chris Mellen. The Finance Committee entered into session on a motion by Member Mellen, second by Member Geyer.

A. Presentation by Greater Lowell Technical High School - Proposed Renovation Project.

The Greater Lowell Technical High School Superintendent, Ms. Mary Jo Santoro, Business Director Mr. George Garabedian, and Tyngsborough's Representative on the Tech's School Committee, Mr. George Tatseos was present. Mr. Kevin Buckley of KBA Engineers presented the repair/renovation & addition project that is being proposed at the Greater Lowell Tech. The building is 40 years old and no major renovations or additions have been done within that time, only minor repairs. The building is not compliant with many building codes and is not ADA compliant. The presented repairs/renovation and addition will address all of the issues and will also add space for new lab rooms. The Greater Lowell Tech has submitted a request to the MSBA and now has 120 days to received supports from the 4 member districts. After a brief question and comments from the School Committee, Finance Committee the Board thanked the representatives of the Great Lowell Tech for presenting their project this evening. The Chairman called for a 20 minutes recess.

B. Special Town Meeting Financial Warrant Articles

The Board returned to open session to review and vote on the financial articles. The Board and the Finance Committee reviewed and voted on the articles 3, 4 and 5 with the School Committee.

Article 3, Medicaid Transfer is a housekeeping article that is voted on yearly; the Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to place the article on the warrant and to recommend the article for approval. The Finance Committee voted 5-0-0 on a motion by Member Wickens, second by Member Geyer to recommend the article for approval.

Article 4, Health Insurance – If article 2 passes, article 4 is not necessary. The Board voted 5-0-0 on a motion by Selectman Lambert, second by Selectman Reault to place article 4 on the warrant the Board will make a recommendation on Town Meeting floor if article 2 does not pass. The Finance Committee will make a recommendation on Town Meeting floor.

Article 5, School Dept. requests the use of free cash to stabilize the operating budget. The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to place article 5 on the warrant and to recommend the article for approval. The Finance Committee voted 5-0-0 on a motion by Member Wickens, second by Member Hammer to recommend article 5 for approval.

The School Committee voted 4-0-0 on a motion by Member Dick, second by Member Desrosiers to adjourn their meeting.

The Board of Selectmen and the Finance Committee continued to review and recommend the remaining financial articles. The Assessor Mr. Phil O'Brien and Assistant Assessor Lauren Woeckel were present to answer any questions the Boards may have. Articles 20-25 are proposals for tax abatements. These articles are making adjustments and following cost of living for exemptions and the cost is fairly minimal. In the past the Finance Committee has not voted on such articles but the Finance Committee does support the Assessor's proposals. The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Curseaden to place articles 20-25 on the warrant and to recommend articles 20-25 for approval.

Articles 17 and 18 are the Military Tax deferral and the Veteran tax work off program. The Assessor's support these two articles. The Administrator has spoken to the Veteran Agent about articles 17 and 18 and he had no issues. Selectman Lambert abstains from voting on articles 17 and 18, he is a veteran. The Board voted 4-0-1 on a motion by Selectwoman Puleo, second by Selectman Curseaden to place articles 17 and 18 on the warrant and to recommend articles 17 and

18 for approval. The Finance Committee voted 5-0-0 on a motion by Member Wickens, second by Member Mellen to recommend articles 20 to 25 and articles 17 and 188 for approval. Article 19, Military pay during training/duty. The Board recommends deferral for additional analysis.

Article 10, This software for the Building Department will replace the aging software and the new software will be convenient for residents and businesses. The Board voted 5-0-0 on a motion by Selectman Reault, second by Selectwoman Puleo to place article 10 on the warrant and to recommend article 10 for approval. The Finance Committee voted 5-0-0 on a motion by Member Wickens, second by Member Mellen to recommend article 10 for approval.

Article 2, transfers required to keep departmental appropriations balanced as a result of collective bargaining settled after the budget was approved. The Board voted 5-0-0 on a motion by Selectman Lambert, second by Selectman Reault to place article 2 on the warrant and to recommend article 2 for approval. The Finance Committee voted 5-0-0 on a motion by Member Wickens, second by Member Mellen to recommend article 2 for approval.

Article 6, Compensated Absence from free cash, this is a housekeeping item to transfer funds that were unexpended due to a delay in retirement by an employee. The Board voted 5-0-0 on a motion by Selectman Lambert, second by Selectman Curseaden to place article 6 on the warrant and to recommend article 6 for approval. The Finance Committee voted 5-0-0 on a motion by Member Hammer, second by Member Geyer to recommend article 6 for approval.

Article 7, Reverse 911 from free cash this item has been discussed for nearly two years, this item will allow direct communication with residents in an emergency. The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Reault to place article 7 on the warrant and to recommend article 7 for approval. The Finance Committee voted 5-0-0 on a motion by Member Mellen, second by Member Hammer to recommend article 7 for approval.

Article 8, Highway Brush for the removal of brush since burning is no longer allowed for clean ups from storms. The Board voted 5-0-0 on a motion by Selectman Reault, second by Selectwoman Puleo to place article 8 on the warrant and to recommend article 8 for approval. The Finance Committee voted 5-0-0 on a motion by Member Wickens, second by Member Geyer to recommend article 8 for approval.

Article 9, allows the highway dept. to place high reflective street signs pursuant to federal requirements. The Board voted 5-0-0 on a motion by Selectman Reault, second by Selectwoman Puleo to place article 9 on the warrant and to recommend article 9 for approval. The Finance Committee voted 5-0-0 on a motion by Member Geyer, second by Member Wickens to recommend article 9 for approval.

Article 11, requesting the sum of \$25,000 as amended this evening to continue the engineering work to address the back log of unaccepted roads. The Board voted 5-0-0 on a motion by Selectman Lambert, second by Selectwoman Puleo to place article 11 on the warrant and to recommend article 11 for approval. The Finance Committee voted 5-0-0 on a motion by Member Geyer, second by Member Hammer to recommend article 11 for approval.

Article 12, appropriation is for shelves to store town offices' records at the Lakeview School. The Board voted 5-0-0 on a motion by Selectwoman Puleo to place article 12 on the warrant and to recommend article 12 for approval. The Finance Committee voted 5-0-0 on a motion by Member Geyer, second by Member Wickens to recommend article 12 for approval.

Article 13 is a place holder for Capital Asset. The Board and Finance Committee will make a recommendation on town meeting floor.

Article 14, is the request for monies to renovate the Adams Barn in the center of town. There has been discussions on the renovation vs the demolition of the barn, a past town meeting voted to demolish the barn, the CPC have prepared an article to transfer existing funds relating to the demolishing of the shurfine market bldg. and the demolition of the barn. The vote is before the town meeting to ask for the transfer of funds for the renovation. The Board voted 5-0-0 on a motion by Selectman Lambert to place article 14 on the warrant. After some discussion the Board voted 3-0-2 to recommend article 14 for approval. The Finance Committee voted 2-1-2 to recommend article 14 for approval after some discussion. (discussion to have the town meeting vote to do the re-appropriations).

Article 15 the vote was deferred to the October 1 meeting.

The Finance Committee voted 5-0-0 on a motion by Member Hammer, second by Member Geyer to adjourn. The Committee adjourned at 9:27 PM.

12. Executive Session - No Executive Session this evening.

13. Adjournment

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to adjourn the meeting. The meeting adjourned at 9:27 PM.

Respectfully Submitted by

Therese Gay
Admin Assistant

Approved on Monday, October 22, 2012



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Tel: 978 649-2300 Ext. 100 Fax: 978 649-2320

*****REVISED 9-21-2012**

Board of Selectmen Meeting Notice

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2. Citizen/Business Time

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3. New Business

- A. Change in DBA Request – Double D Pub, Inc. 147 Frost Road**
- B. Approve Removal of Hazard Trees – Tyngsborough Memorial Cemetery**
- C. Approve revised Frost Road Park regulations**
- D. ***Approve selection of FSA firm**

4. Meeting Minutes Review/Approve

- A. Monday September 10, 2012**

5. Old Business

- A. Special Town Meeting – continue review of warrant articles**

6. 7:00 PM Tri-Board meeting with Finance Committee and School Committee

- A. Presentation by Greater Lowell Technical High School regarding proposed renovation project**
- B. Review of Special Town Meeting financial warrant articles**

7. Citizen/Business Time

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8. Correspondence

A list of correspondence will be included with approved meeting minutes per the requirements of the Massachusetts Open Meeting Law and may be posted online at www.tyngsboroughma.gov. Copies of correspondence may be requested from the Office of the Board of Selectmen.

9. Review of Weekly Warrants

10. Town Administrator's Reports

- Response to Selectmen's Requests
- Budget
- Departmental Information
- Contracting/Procurement
- Other

11. Selectmen's Reports

12. Executive Session (if needed)

The board may move to go into executive session to discuss strategy with respect to collective bargaining, litigation, or exempt negotiations if an open meeting may have a detrimental effect on such subject matters.

- A. To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel.**

13. Adjournment

Future Meetings

Monday, October 01, 2012 at 6:00 PM at the Town Offices

Special Town Meeting - Tuesday, October 16, 2012 at 7:00 PM at Tyngsborough Elementary School

Monday, October 22, 2012 at 6:00 PM at the Town Offices

Monday, October 29, 2012 at 6:00 PM at the Town Offices

Board of Selectmen Correspondence - Week of September 21, 2012

[illegible]